

any size, and even with identical precautions—were outright banned.

California was not alone. In Nevada, the Governor allowed gambling establishments to reopen in June, 2020. As thousands flooded into casinos along the Las Vegas strip, religious gatherings in Nevada remained strictly limited to 50 people. Likewise, in New York, houses of worship were explicitly singled out for worse treatment. In some areas, religious gatherings were restricted to only 10 people, while train stations, acupuncture facilities, and factories in that same area could allow entry to as many as they wished.

And I could go on. Again, and again, COVID lockdown rules left religious Americans on the outside looking in.

Despite several opportunities to overturn these clear, discriminatory restrictions, for most of 2020, the Supreme Court failed to intervene. In *South Bay v. Newsom*, five Justices—without explanation—declined to halt California's ban on all religious services. Likewise, in *Calvary Chapel v. Sisolak*, the Supreme Court left Nevada's discriminatory ban on houses of worship in place. And again, they did so without explanation.

The pandemic stretched on. Some States eased restrictions, allowing worshippers to gather. Others did not. During that time, countless weddings, baptisms, holy days, and, perhaps most heartbreakingly—funerals—were observed in isolation from family, friends, and community. Or not at all.

Finally, in November of last year—after over 8 months of lockdowns—a ray of light broke through. In *Roman Catholic Diocese v. Cuomo*, the Court held that “even in a pandemic, the Constitution cannot be put away and forgotten. [New York’s] restrictions . . . strike at the very heart of the First Amendment’s guarantee of religious liberty.” Subsequent decisions earlier this year resurrected the First Amendment’s robust protections of religious liberty. Just a few weeks ago, in *Tandon v. Newsom*, the Supreme Court resoundingly affirmed religious freedom, summarily rejecting California’s discriminatory restrictions. Thanks to God, the First Amendment lives.

It’s been a long road to get here. But we can’t ignore the lessons of the past 13 months. That’s why I offered an amendment to S.937, the COVID-19 Hate Crimes Act, which would require the Attorney General to create a report detailing the restrictions imposed on religious exercise imposed during the pandemic.

This amendment directs the Department of Justice to look into: first, whether governments applied the same rules to religious groups that they applied to similar nonreligious organizations and businesses, and, second, whether those restrictions complied with the First Amendment. The goal here is simple—we need to understand and remember how Americans in 2020 lost their religious freedoms in order to ensure that it never happens again.

## NOTICE OF THE VOTE UNDER S. RES. 27

Mr. WYDEN. Mr. President, I ask unanimous consent to print the following letter in the CONGRESSIONAL RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

### *To the Secretary of the Senate:*

PN 124, the nomination of Chiquita Brooks-LaSure, of Virginia, to be Administrator of the Centers for Medicare and Medicaid Services having been referred to the Committee on Finance, the Committee, with a quorum present, has voted on the nomination as follows—

(1) on the question of reporting the nomination favorably with the recommendation that the nomination be confirmed, 14 ayes to 14 noes; and

In accordance with section 3, paragraph 1(A) of S. Res. 27 of the 117th Congress, I hereby give notice that the Committee has not reported the nomination because of a tie vote, and ask that this notice be printed in the Record pursuant to the resolution.”

## EARTH DAY

Mr. CARDIN. Mr. President, today I rise to join my friends in celebrating Earth Day. Senator Gaylord Nelson began the tradition in 1970, making today the 51st celebration of Earth Day. While it is always important to set aside a day to pause and reflect on our relationship with the natural world, I consider this Earth Day one of the most important yet. As we begin to emerge from the chaos of the COVID-19 pandemic and reset our new “business as usual,” we are stepping into a new world, ripe with opportunity for progress on climate change with a more meaningful understanding of what it means to live in a global community. Our Nation and planet are at a crossroads in determining the future of our climate. With a new administration that understands the threat of climate change and the role of the United States as a global leader, we are at the precipice of bold action.

The scientific consensus is that climate change will have devastating and far-reaching impacts on the environment, public health, and national security, and we must mitigate and adapt. In 2018, the United Nations U.N. Intergovernmental Panel on Climate Change, IPCC found that if a concerted multilateral effort is not made to keep global temperatures from rising 1.5 degrees Celsius 2.7 degrees Fahrenheit by 2100, we will cross a tipping point and cause the worst damage by climate change. The scientific community has been sounding the alarm for years, which too many of our colleagues have chosen to ignore.

The ongoing COVID-19 pandemic highlighted the challenges and opportunities of our increasingly globalized world. More than ever, we are understanding how decisions governments, corporations, and individuals make have real-world impacts and consequences. Actions that affect our cli-

mate are no different. An understanding of our impact in determining our collective future will only help us in our pursuit of a healthier planet.

Fortunately, our communities have proven resilient and adaptable. Over the past year, Americans have been burdened with collective grief, fear, and uncertainty. Through it all, our Nation has demonstrated a grit and ingenuity unlike anything we have seen in generations. We saw parents step up as teachers, corporations pivot their business models to keep people safe, and an entire population of office workers transition to working from home. In terms of action on climate change, this flexibility proves that a departure from the status quo is not as unrealistic as we may have thought previously. In fact, a change from “business as usual” can have unforeseen benefits for our quality of life and our planet.

Equipped with the lessons learned from the COVID-19 pandemic, I am more confident than ever that our Nation is ready to commit to action on climate change in earnest. Additionally, the Biden administration is already pursuing an aggressive climate agenda by reversing President Trump’s shortsighted decisions and doubling down on President Obama’s environmental regulations. The Build Back Better agenda recognizes both the need to mitigate emissions and prepare for the impacts of climate change that are already harming our communities. A great and overdue need to update our Nation’s infrastructure provides an opportunity to address some of our society’s most insidious sources of pollution.

Emissions from passenger and freight transport makes up the largest proportion of our Nation’s total greenhouse gas emissions—nearly 30 percent. The Federal Government can and must work quickly to address climate change through transportation and infrastructure policy. As chair of the Transportation and Infrastructure Subcommittee of the Senate Environment and Public Works Committee, I am committed to ensuring that any legislation the committee considers addresses greenhouse gas emissions reductions in a meaningful way. In 2019, the Senate Committee on Environment and Public Works unanimously reported an innovative surface transportation reauthorization that indicates a genuine bipartisan interest in action on climate change. I am confident the newest iteration of this bill will be even more ambitious.

The imperative to address climate change through transportation and infrastructure is particularly important to Maryland, a highly developed, low-lying coastal State with aging public works systems, which makes it particularly vulnerable to the impacts of climate change. My constituents and future generations have a right to good air quality, water quality, and the resilience of infrastructure assets like

roads, bridges, and storm and wastewater systems.

In recent years, Marylanders have seen firsthand the effects of climate change in my State. Intense rainstorms have caused unprecedented flood damage to homes and businesses in Prince George's County, Southwest Baltimore, Ellicott City, and Hagerstown. The cost of rebuilding our infrastructure after these storms is significant. Unless we change the way we think about infrastructure in the future, taxpayer investments will be washed away with the next big storm. I requested a Government Accountability Office GAO report on the Federal Government's fiscal exposure to the effects of climate change. GAO found that in 2018, 14 separate natural and weather disasters occurred, costing the Federal Government a total of \$91 billion. Unsurprisingly, GAO determined that this amount will rise as climate change causes more frequent and more severe weather events. Inaction on this issue amounts to a gross negligence by Congress in our management of taxpayers' funds. I consider it my duty to ensure that the Federal Government takes full advantage of the opportunity before us to make long-sighted upgrades to our systems.

In addition to building back physical infrastructure better, the Nation is in the process of rebuilding its reputation on the international stage as a leader on climate change. By rejoining the Paris Agreement, the United States is signaling its commitment to the global community. As I speak, the President is hosting the Leaders Summit on Climate, where world leaders will outline how their countries will commit to their own ambitious goals. The United States is committing to a bold 2030 emissions target as its new nationally determined contribution under the Paris Agreement. This summit represents the formal return of the United States to its leadership position and an opportunity to regain the trust from our international partners that President Trump decimated.

When President Trump withdrew the United States from the Paris Agreement, I helped to maintain relationships with our partner-members by introducing a bipartisan resolution that expressed support for the Paris Agreement and assuring the international community that, despite President Trump's abdication of his duties, leaders on climate change in the U.S. Senate remained. I previously led the U.S. congressional delegation to the conference where the Paris Agreement was adopted and will continue to position our Nation as a strong partner in the international fight against warming global temperatures.

Domestically, this Earth Day, I will recommit to my long-term endeavor to preserve and restore the Chesapeake Bay. The Chesapeake Bay is the lifeblood of the State of Maryland, and the communities that depend on it are seeing their livelihood threatened as the

climate changes. Saltwater intrusion on agricultural lands and fragile fisheries make it harder for Maryland farmers and fishers to earn a living. In some cases, Marylanders are seeing their communities disappear before their eyes from the dual threat of sea level rise and subsidence. A healthy Chesapeake Bay watershed is essential to a thriving economy. Additionally, the Chesapeake Bay's wetlands are Maryland's best defense against climate change-induced flooding, as they act as natural buffers to storm surge during severe weather.

The good news is that action on climate change, through international commitments, domestic infrastructure improvements, and restoring regional natural resources like the Chesapeake Bay, will stimulate our economy. Stewardship of our environmental can and should go hand in hand with economic development. Our Nation will be grappling with the economic fallout of the COVID-19 pandemic for years to come, and bold Federal action is a time-tested practice for economic recovery. A truly bold investment in action on climate change will pay dividends for generations to come, but it must meet the size and urgency of the challenge before us.

I am certain that our Nation can honor our planet and our future generations with urgent, thoughtful decision-making. Earth Day is one of the most celebrated secular holidays in the world and for good reason. We are all stewards of our planet and now more than ever understand that we are on a journey together. I will embrace this Earth Day and the opportunities for progress that lie ahead. I hope my Senate colleagues and all Americans will join me honoring our planet through diligent work, today and every day.

#### ADDITIONAL STATEMENTS

##### TRIBUTE TO MARY LILLY SMITH

• Mr. BLUNT. Mr. President, I rise today to honor a Springfield, MO, resident who has dedicated 38 years of her life in service to the city of Springfield by helping facilitate economic development, creating and retaining thousands of jobs, and bringing life to the downtown area. Mary Lilly Smith started her career in 1983 as a city planner for downtown Springfield, where she helped create the city's initial neighborhood conservation office. During the next 38 years, Mary played an instrumental role in nearly 100 key economic initiatives.

Mary is best known for her 17 years as the economic development director. Along with her commitment to the downtown area, she created the Economic Development Incentives Policy Manual, which became a template for other towns and cities across the State to implement development policies. In addition to her economic development initiatives, Mary made sure to preserve

the city of Springfield's incredible history. Throughout her nearly four decades of service, Mary has developed many different approaches to preserving and honoring the history of the area. She also developed the city's first capital improvement program, which facilitated a change in the review process for protecting architecturally significant historical properties.

Mary leaves behind a legacy for the city of Springfield to be enjoyed by all for years to come. For her many years of service, she has earned her retirement. As she enters this new chapter of her life, I offer Mary best wishes.●

##### TRIBUTE TO ROD OSTERMILLER

• Mr. DAINES. Mr. President, this week I have the honor of recognizing Rod Ostermiller of Yellowstone County for nearly 30 years of service in law enforcement in Montana.

Rod first entered law enforcement in 1991 at the age of 21 and moved up the ranks swiftly. In 2004, he became Chief Deputy Marshal and later served as acting U.S. Marshal when his predecessor retired.

In 2018, I had the distinct honor of nominating Rod to become the U.S. Marshal for Montana, which received unanimous approval in the U.S. Senate. He was then officially appointed by President Trump.

Rod is a Montana native from the south side of Billings. He later attended Montana State University to earn his bachelor's degree in criminal justice.

Since his retirement from law enforcement, Rod went on to become the executive director of the Mental Health Center in Billings, where he continues to help combat the meth crisis we have in Montana in a different capacity. He exemplifies what it means to make one's community better.

It is my honor to recognize Rod for his decades of service to Montana's law enforcement and for his continued efforts to make Montana a safer and better place for all.●

##### MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Ms. Roberts, one of his secretaries.

##### EXECUTIVE MESSAGES REFERRED

As in executive session the PRESIDING OFFICER laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The messages received today are printed at the end of the Senate proceedings.)

##### MESSAGES FROM THE HOUSE

###### ENROLLED BILL SIGNED

At 10:32 a.m., a message from the House of Representatives, delivered by